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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,781	05/04/2001	Michael Snyder	6523-028	9891
7590	10/29/2003		EXAMINER	
PENNIE & EDMONDS LLP 1155 Avenue of the Americas New York, NY 10036-2711			TRAN, MY CHAU T	
			ART UNIT	PAPER NUMBER
			1639	
			DATE MAILED: 10/29/2003	
			19	

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/849,781	05/04/2001	Michael Snyder	6523-028
EXAMINER			
M. Tran			
ART UNIT	PAPER		
1639	19		

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Commissioner for Patents

Application No.: 09/832,723.

1. Applicant elected the following species with traverse and the traversal will be address in the next Office Action: a) a single specific species of the plurality of proteins or molecules is a plurality of proteins. Additionally, it is noted that the molecules consists of at least 50% of all expressed proteins and the molecules comprising functional domains of said proteins are considered as non-elected species; b) a single specific species of organism is a mammal; c) a single specific species of biological activity is kinase activity; d) a single specific species of solid support is glass slide; e) a single specific species of interaction between the surface of the support and the substance is covalently bound; f) a single specific species of assaying reagent is "13P-gamma-ATP"; g) a single specific species of volumes of the wells is the range between 1nl to 1 microliter; h) a single specific species of the bottoms shape of wells is round-shaped.

2. The reply filed on August 26, 2003 (Paper No. 18) is not fully responsive to the prior Office Action because there is some confusion regarding applicant's election of "13P-gamma-ATP" as the species for an assaying reagent. There is no claims that read on the elected species for an assaying reagent. One of the requirement for a species election is to include a listing of all claims readable on the elected species. The species of "13P-gamma-ATP" is not presently claimed for the species of an assaying reagent.

To prevent any further confusion, applicant is requested to provide a fully responsive election and clarify the above matters.

3. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My-Chau T. Tran whose telephone number is 703-305-6999. The examiner is on Increased Flex Schedule and can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Wang can be reached on 703-306-3217. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1235.

mct
October 28, 2003


PADMASHRI PONNALURI
PRIMARY EXAMINER